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OCT 13 2005

OFFICE OF PETITIONS

In re Application of
Yee-Chung Fu
Application No. 10/779,952
Filed: February 13, 2004
Attorney Docket No. ANS-P105

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ON PETITION

This is a decision on the petition filed October 3, 2005, under 37 CFR 1.137(b), to revive the above-identified application. This is also a decision on the petition under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The petition under 37 CFR 1.313(c)(2) is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice mailed August 18, 2005, which set a period for reply of one (1) month. Accordingly, the above-identified application became abandoned on September 19, 2005.

As to the petition under 37 CFR 1.313(c)(2):

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

Petitioner is advised that the issue fee paid on July 21, 2005 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.¹

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).

Telephone inquiries should be directed to the undersigned at (571) 272-3208.

This matter is being forwarded to Technology Center AU 2815 for processing of the request for continued examination under 37 CFR 1.114.

A handwritten signature in black ink, reading "Karen Creasy". The signature is fluid and cursive, with the first name "Karen" and last name "Creasy" clearly distinguishable.

Karen Creasy
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy